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In re application of :
Gerold Mahler et al. :
Serial No. 09/319,126 :
Filed: August 23, 1999 :
For: METHOD FOR STOCKING AND PRESERVING GREEN :
ROUND WOOD AND SAWN TIMBER :

DECISION ON
PETITION

This is a response to the PETITION UNDER 37 CFR 1.181 FOR WITHDRAWAL OF NOTICE OF ABANDONMENT, filed November 17, 2003. The petition requests that the abandonment, as set forth in the Notice of Abandonment of October 30, 2003, for failure to timely file a proper reply to the Office letter mailed April 10, 2003 be withdrawn since the applicants did timely file a reply on October 10, 2003. (A copy of the reply is attached to the instant petition as well as a copy of the USPTO date stamped postcard receipt.)

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's reply was properly filed on October 10, 2003 as evidenced by the properly completed Certificate of Mailing thereon and the copy of the USPTO date stamped return receipt postcard indicating receipt of the reply at the USPTO on October 14, 2003. Accordingly, any holding of abandonment for failure to timely file a proper reply to the Office letter mailed April 10, 2003 is hereby vacated, and the application is returned to pending status.

The application shall be forwarded to the examiner for entry, processing and consideration of the reply originally filed October 10, 2003.

The Petition is **GRANTED**.

Jacqueline Stone, Director
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